

ASSEMBLY BILL

No. 1105

Introduced by Assembly Members Simitian and Shelley

February 23, 2001

An act to add Section 11465.8 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1105, as introduced, Simitian. Child care: foster family homes: child care reimbursement.

Existing law establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers, including foster family homes, on behalf of qualified children in foster care. The program is funded by a combination of federal, state, and county funds.

Existing law provides that the department establish a program in up to 5 consenting counties under which licensed family homes and relative caregivers would be provided with reimbursement for the cost of licensed child care for each foster child under 13 years of age, if any of specified conditions are met.

This bill would require the department, with the advice, assistance, and cooperation of the counties and foster care providers, to develop, implement, and maintain a system to provide child care assistance under specified circumstances for foster children in the care of a licensed family home or relative caregivers receiving payments under the AFDC-FC program.

Because each county is required to administer the AFDC-FC program, the bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature in enacting this
2 act to accomplish all of the following:

3 (a) To provide high quality early childhood education and
4 schoolage child care programs for children in foster care.

5 (b) To provide safe and stable homelike placements for
6 children served by the foster care system.

7 (c) To recruit and retain high quality foster families, including
8 working parents, to ensure an adequate supply of homes for abused
9 and neglected children.

10 (d) To avoid costly and often inappropriate placements of
11 children.

12 (e) To reduce the financial barriers for current foster parents in
13 finding high quality child care so that they may attend foster parent
14 training, work outside the home, and participate in activities
15 related to fulfilling their foster caregiving responsibilities.

16 SEC. 2. The Legislature finds and declares all of the
17 following:

18 (a) Child care in a high quality setting can provide children with
19 experiences that enhance their social, emotional, and behavioral
20 development and improve school readiness, and successful
21 transition into elementary school.

22 (b) Foster children and their foster families should be provided
23 with the resources and support necessary to ensure optimal growth
24 and development in a cost-effective manner.

25 (c) By providing child care to foster families, this act provides
26 offsetting savings to the state and counties based on the following:

27 (1) Reduced utilization of emergency shelter placement.

28 (2) Reduced use of inappropriate foster family agencies and
29 group home placements.



1 (3) Reduced social work activity due to fewer disrupted
2 placements.

3 (4) Increased federal financial participation in the cost of child
4 care for children in foster care.

5 SEC. 3. Section 11465.8 is added to the Welfare and
6 Institutions Code, to read:

7 11465.8. (a) The department, with the advice, assistance, and
8 cooperation of the counties and foster care providers, shall
9 develop, implement, and maintain a system to provide child care
10 assistance for foster children in the care of a licensed family home
11 or relative caregivers receiving payments under this chapter. Child
12 care assistance may include reimbursement of child care expenses
13 to the licensed family home or relative caregiver or direct payment
14 to the child care provider.

15 (b) Child care assistance shall be available for the cost of
16 licensed child care for each foster child in the care of the licensed
17 family home or relative caregiver for whom the licensed family
18 home or relative caregiver is receiving payments under this
19 chapter during the period that any of the following apply:

20 (1) The foster parent or relative caregiver is working outside
21 the home.

22 (2) The foster parent or relative caregiver is participating in
23 foster parent training.

24 (3) The foster parent or relative caregiver is fulfilling necessary
25 foster care related administrative duties, such as conferences and
26 judicial reviews.

27 (4) The provision of licensed child care is a service provided to
28 address a specific need of the child as documented in the child's
29 case plan.

30 (c) Child care assistance shall be available only to reimburse or
31 pay the cost of care provided by a licensed provider.

32 (d) The need for child care and the plan for providing care shall
33 be documented in the child's case plan.

34 (e) The department, in consultation with the counties, shall
35 establish rates of child care assistance pursuant to this section.

36 (f) The department and the Secretary of Education shall
37 conduct a survey or otherwise gather data to determine the extent
38 to which state and county funds are currently being used for child
39 care assistance for foster children. The department shall maximize
40 federal financial participation in child care assistance for foster

1 children and shall, by April 1, 2002, submit an amendment to the
2 state plan under Subtitle B (commencing with Section 470) of Title
3 IV of the federal Social Security Act (42 U.S.C. Sec. 670 and
4 following) to the United States Department of Health and Human
5 Services to reflect the provisions of this section.

6 SEC. 4. No reimbursement is required by this act pursuant to
7 Section 6 of Article XIII B of the California Constitution because
8 this act provides for offsetting savings to local agencies or school
9 districts that result in no net costs to the local agencies or school
10 districts, within the meaning of Section 17556 of the Government
11 Code.

